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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN - 5 1989

OFFICE OF
WATER

MEMORANDUM

SUBJECT: Abandoned Water Wells

FROM: Michael B. Cook, Director
Office of Drinking Water *Michael B. Cook*

TO: Water Management Division Directors
Regions I - X

It has come to my attention that some confusion was developing in certain Regions and States about abandoned water wells and their relationship to Class V wells. In particular, some abandoned water wells which are not used for injection have been included in the latest SPMS report as Class V wells in noncompliance.

I understand that some of the confusion may stem from the inclusion in the Report to Congress of the 5X29 abandoned water well category. However, this specifically referred to abandoned water wells used for waste disposal. I want to clarify for the record that abandoned water wells per se are not Class V wells, any more than abandoned oil and gas wells are Class II wells. In order to be a Class V well, the well must first be an injection well i.e., used by an owner or operator for the subsurface emplacement of fluids. Abandoned water wells which are simply improperly plugged and not used for injection are no different from "dug holes" which are specifically excluded from UIC coverage if they are not used for emplacement of fluids underground (§144(g)(2)(v)).

In order to correct any misunderstanding, we should cease reference to an abandoned water well as a type of Class V well. The prior use of a well is immaterial. If an abandoned water well or any other type of abandoned shaft or dug hole is used as an injection well, and thereby becomes a Class V well, it can be classified in one of the established Class V categories other than 5X29, based on the type of waste injected or the type of operation involved. I expect the next SPMS reporting to reflect this decision.

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Given the above, abandoned water wells may still, under certain circumstances, present a threat to drinking water sources, and States should exert their authority to have water wells properly plugged. In fact, I strongly support dealing with abandoned water wells in the context of the wellhead protection program. I also believe that some UIC funds may be properly expended in implementation of an integrated wellhead protection program which would encompass Class V wells and other potential pollution sources. I do not, however, believe that efforts to inventory abandoned water wells or other types of man-made conduits (such as abandoned mine shafts), which are not used as injection wells, constitute a proper use of UIC funds. Such activities will not be considered a legitimate Class V program output.

If you have any questions about this memorandum, please contact Francoise Brasier, Chief UIC Branch, at (FTS) 382-5530.